

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

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JOSE MEDRANO, DAMIAN J. BRUNSWICK,
TYLER GOMES, and LAWRENCE S.
YOUSHAH, ESQ., individually and on behalf of all
other persons similarly situated,

Plaintiffs,
-against-

PAUL J. MARGIOTTA, ESQ., Executive Director,
the Suffolk County Traffic and Parking Violation
Agency; ALLEN S. MATHERS, ESQ., a Judicial
Hearing Officer at the Suffolk County Traffic and
Parking Violation Agency; PAUL H. SENZER,
ESQ., a Judicial Hearing Officer at the Suffolk
County Traffic and Parking Violation Agency; W.
ALEXANDER MELBARDIS, ESQ., a Judicial
Hearing Officer at the Suffolk County Traffic and
Parking Violation Agency; ADAM S. HALPERN,
ESQ., a Traffic Prosecutor at the Suffolk County
Traffic and Parking Violation Agency; HOWARD
FREEMAN, ESQ., a Traffic Prosecutor at the
Suffolk County Traffic and Parking Violation
Agency; JOHN LYNCH, ESQ., a Traffic Prosecutor
at the Suffolk County Traffic and Parking Violation
Agency; and THE COUNTY OF SUFFOLK,

Defendants.

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AZRACK, United States District Judge:

Plaintiffs Jose Medrano, Damian J. Brunswick, Tyler Gomes, and Lawrence Youshah bring this putative class action for civil rights violations under 42 U.S.C. § 1983 against the defendants named above. Defendants have moved to dismiss plaintiffs' amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court referred the motion to dismiss to the Honorable Arlene R. Lindsay, United States Magistrate Judge, for a report and recommendation. In a Report and Recommendation dated February 16, 2017 ("the R&R"), Magistrate Judge Lindsay

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

15-CV-3097 (JMA)(ARL)

**FILED
CLERK**

3/3/2017 4:42 pm

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

recommended that the motion to dismiss be granted.

No party has objected to the R & R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y.2011) (internal quotation marks and citation omitted). The Court has reviewed the record and, finding no clear error, adopts the R & R as the opinion of the Court. The Court grants defendants’ motion to dismiss. The Clerk of Court is directed to close this case.

SO ORDERED.

Date: March 3, 2017
Central Islip, New York

/s/ (JMA)
Joan M. Azrack
United States District Judge